

Official Minutes for Webb County Commissioners Court Meeting

Monday, January 9, 2006 at 1:00 PM
and continuing Tuesday, January 10, 2006 at 1:00 PM
(Approved 02-13-2006)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

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| Louis H. Bruni | County Judge |
| Frank Sciaraffa | Commissioner, Pct. 1 |
| Judith Gutierrez | Commissioner, Pct. 2 |
| Jerry Garza | Commissioner, Pct. 3 |
| Cindy Cortez-Brunner | Commissioner, Pct. 4 |

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 6th of January 2006. Present also were Mr. Marco Perez, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Ana D. Morales, Chief Deputy County Clerk representing Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by all

- Item No. 4 Approval of minutes – November 14, 2005, November 21, 2005, November 28, 2005 and December 12, 2005

Judge Bruni stated that for the minutes of November 14th, Item No. 12 should read that he asked the Court Bailiff to escort Mr. C.Y. Benavides, III to his seat, not outside the courtroom.

Judge Bruni motioned to approve the minutes with the corrections stated. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, presented his monthly report.

Ms. Delia Perales, County Treasurer, presented her monthly report.

Item No. 6 Communications

Judge Bruni requested a moment of silence in memory of Mrs. Maria Teresa Zertuche Cavazos, mother of Mr. Mario Cavazos, Radio Communications Safety Engineer, who passed away on December 31, 2005. He also requested a moment of silence in memory of Mr. Lazaro Cardenas, Assistant Public Defender, who passed away on December 27, 2005.

A moment of silence was observed.

Cmr. Sciaraffa acknowledged the family of the late Jesus 'Chuy' Salazar, Sr. who were present at today's meeting.

Cmr. Gutierrez thanked the Salazar family for their presence. She stated that she has known the family for many years and that this dedication was a testament to what the judge represented in South Laredo.

Judge Bruni echoed the sentiments stated by Cmr. Sciaraffa and Cmr. Gutierrez.

Cmr. Garza stated that this was the first meeting of the year and wished all a Happy New Year. He stated that he hoped for a fruitful year to come.

Cmr. Cortez-Brunner stated that she and her family had received numerous calls regarding her brother's employment at the Sheriff's Department. She stated that he no longer works there and has not been rehired. She stated that he is no longer a Webb County employee. She wished everyone a Happy New Year and stated the following quote from William Faulkner "Plenty of people miss their share of happiness not because they never found it but because they never stopped to enjoy it."

Item No. 7 Public Comment

Dr. Hector Farias was present to address Addendum Item No.1. He asked the court for their support of this item.

Mr. Richard Geissler was present to address Addendum Item No.1. He asked the court for their support of this item.

Mr. Jose Luis Munoz was present to address Addendum Item No.1. He asked the court for their support of this item.

Mr. Rolando Ortiz, representing Killam Ranch Properties, was present to address Item No. 8. He stated that their bid was the best one submitted and requested that the court award in their favor.

Mr. Abel Salazar was present to address Item No. 13. He thanked the court on behalf of the entire Salazar family for placing this dedication item on the agenda.

Item No. 8 Discussion and possible action to award bid number 2006-10, sale of Webb County Detention Center, TWO HUNDRED NINETY FOUR AND 24/100 acres, legally described in the County of Webb, State of Texas, in Porciones 23, 24, and 25, to the highest bidder and authorizing the county judge to execute any and all relevant documents pursuant to Texas Local Government Code, Section 263.007 sale or lease of real property through the sealed bid procedure.

Judge Bruni motioned to reject Item No. 8. Cmr. Cortez-Brunner seconded the motion.

Motion failed 2-3 with Cmr. Sciaraffa, Cmr. Gutierrez and Cmr. Garza voting against.

Cmr. Gutierrez motioned to award the bid to the highest bidder, Khaledi Properties. Cmr. Sciaraffa seconded the motion.

Motion carried 3-2 with Judge Bruni and Cmr. Cortez-Brunner voting against.

RECESS (2:36 PM to 2:50 PM)

Item No. 9 Regarding Webb County Secondary Water Project: status on water-well on the Carrizo Wilcox Aquifer.

Mr. Tomas Rodriguez, County Engineer, stated that the contract was sent out to the company on January 3rd and that he was advised by the company that the contract was sent to their Austin law firm and bonding company. He stated that they should receive the contract no later than Wednesday.

Item No. 10 Status on litigation regarding proposed "Ponderosa" land fill with discussion and possible action to direct attorneys representing Webb County in said litigation to continue or withdraw and remove Webb County as a party litigant as Commissioners Court may deem appropriate, and any other matters incident thereto. Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney)

Judge Bruni motioned to move into Executive Session. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (2:52 PM to 3:29 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Status report on Lake Casa Blanca Dam problem as identified by TCEQ, Webb County's response to the same, with discussion and possible action to direct staff to take action as necessary to implement the proposed construction schedule for repairs to the dam, and any other matters incident thereto.

Mr. Tomas Rodriguez, County Engineer, presented his report to the court.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12 Discussion and possible action to direct the Webb county Purchasing Agent to prepare and publish requests for qualifications for a permanent Human Resources Department Director, and any other matters incident thereto.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 13 Discussion and possible action to name the newly constructed JP Building in South Webb County the "Jesus 'Chuy' Salazar Justice Center" and any other matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

RECESS (2:01 PM to 2:19 PM)

- Item No. 14 Discussion and Possible Action Authorizing the Purchasing Agent to advertise for "Request for Proposals" for Architectural and Engineering Services to design the Community Park at the Self Help Center on Hwy 359.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and Possible Action Authorizing the Road & Bridge Dept. to collect "Domestic Garbage" at D-5 Acres, Laredo Ranchettes and Ranchitos 359 twice a week.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 16 Discussion and possible action to appoint Mr. Rene De La Viña to the Webb County Grievance Committee.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 17 Discussion and possible action to authorize the purchasing agent to extend the solicitation of the RFQ's for Public Information Officer for 30 days.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 18 Discussion and possible action to authorize the purchasing agent to solicit RFQ's for the position of Human Resources Director.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Update on the latest developments related to the I-69 Highway Corridor in Texas.

Mr. Carlos Villarreal, Executive Administrator, presented his report to the court regarding the I-69 Highway Corridor.

- Item No. 20 Status report on the CEAP Grant as of December 31, 2005

Mr. Mike Kazen, CAA Director, presented his report to the court.

Item No. 21 Discussion and possible action to direct staff to undertake administrative preparations as necessary for bond issuance series 2006; schedule a Commissioners Court workshop for the determination of scope of bond issuance and priority of projects; and, any other matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22 Discussion and Possible action to ratify the additional funding awarded to the Rural Transportation Program in the amount of \$27,593.00 FY-2005.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 23 Discussion and possible action to enter into an individual Cooperative Working Agreement with the Serving Children and Adolescents in Need (SCAN) beginning on August 1, 2005 and ending July 31, 2006, to allow SCAN to coordinate and provide advocacy skills training services through its "Juntos Podemos Advocacy Skills Training Program" for referrals made by the Webb County Head Start Program to SCAN during the term of the Agreement and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 24 Discussion and possible action to enter into a lease agreement effective upon execution for Property located at 4420 Old Santa Maria Rd (Old Mother Cabrini Center) in the City of Laredo, for a nominal fee of ONE DOLLAR (\$1.00), for an elder nutrition center and authorizing the County Judge to sign all relevant documents and any matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25 Discussion and possible action to enter into a thirty-six (36) month (December 12, 2005 through December 11, 2008) Equipment Rental Agreement with IKON Office Solutions for File-magic Quick Find Software at a monthly cost of ONE HUNDRED AND EIGHT-FIVE DOLLARS (\$185.00) with a total cost of SIX THOUSAND SIX HUNDRED AND SIXTY DOLLARS (\$6,660.00) over the lease term for the Webb County Tax Office and authorizing the County Judge to sign all relevant documents. [Requested by Webb County Tax Office, Account No. 001-0700-6022 (Professional Services)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action to enter into one (1) year agreements with Trimble Navigation Limited through GeoShack, Inc. for:
1. Three (3) extended limited warranties for 4600 Receivers at ONE HUNDRE D AND FIFTY DOLLARS (\$150.00) each to equal FOUR HUNDRED AND FIFTY DOLLARS (\$450.00)
 2. One (1) Survey Controller Extended Warranty at FIVE HUNDRED AND EIGHTY DOLLARS (\$580.00)
 3. One (1) software support agreement at SIX HUNDRED AND FIFTY DOLLARS (\$650.00)
 4. One (1) GeoXT Data Collector at THREE HUNDRED NINETY-FIVE DOLLARS (395.00)
 5. One (1) GeoXT Software Upgrade at ONE HUNDRED FIFTY DOLLARS (\$150.00)
- for a total of TWO THOUSAND TWO DOLLARS AND EIGHTY CENTS (\$2,002.80) over the term, seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a) (7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Planning Department, Account No. 010-102-6402 (Repairs and Maintenance Equipment)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and possible action to enter into a contract with RWL GROUP as insurance consultants from March 15, 2006 through March 15, 2007 at monthly cost of THREE THOUSAND DOLLARS (\$3,000.00) for review and monitoring of property casualty insurance and

consulting assistance in the procurement of Employee Benefits, including plan survey, specifications and bidding process.

Comr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 28 Discussion and possible action to approve the acceptance of the Edward Byrne Memorial Grant Award (DB-03-A10-17436-02) from the State of Texas, Office of the Governor, Criminal Justice Division for the Laredo Multi-Agency Narcotics Task Force in the amount of FOUR HUNDRED AND SEVENTY-TWO THOUSAND FIVE HUNDRED AND FORTY-FIVE DOLLARS (\$472,545.00). Grant monies will pay for salaries, travel and training, equipment, and supplies of the Task Force and authorizing the County Judge to sign all relevant documents. [Requested by Webb and Zapata County District Attorney Laredo Multi-Agency Narcotics Task Force, Account No. 297-1100-3532 (Cash Match) and 297-1100-3501 (Grant Revenue)]

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 29 Discussion and possible action to enter into a one (1) year (January 27, 2006 through January 26, 2007) parts and labor extended warranty with Allegheny Paper on a Paper Shredder located at the Records Management Department at a cost of THREE THOUSAND AND EIGHTY FIVE DOLLARS (\$3,085.00), seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a) (7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by MIS Department, Account Nos. 001-0500-6402 & 008-0101-6402 (Repairs and Maintenance)]

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action to enter into a twenty-four (24) month Software License/Customer Support Agreement and Hardware Maintenance Agreement with Megatronics International Corporation

(MTI), for the Fuel management System installed at the Webb County Road and Bridge Facility to be effective January 1, 2006 through December 31, 2007 in an annual amount of FOUR THOUSAND SEVEN HUNDRED AND FORTY-TWO DOLLARS (\$4,742.00) for a total cost of NINE THOUSAND FOUR HUNDRED AND EIGHTY FOUR DOLLARS (\$9,484.00) over the term of the Agreement, seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a) (7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Road and Bridge Department, Account No. 010-7001-6402 (Maintenance to Equipment)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action to enter into a one (1) year computer hardware equipment and services agreement with AT&T DataComm beginning December 1, 2005 through November 30, 2006 for maintenance of Cisco Smart Net with an annual cost of TWENTY-ONE THOUSAND SEVEN HUNDRED AND FIVE DOLLARS AND SIXTY CENTS (\$21,705.60) and authorizing the County Judge to sign all relevant documents. [Requested by Management Information Systems, Account No. 001-0500-6402]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to enter into Third Party Funding Agreements as follow:
General Fund
Webb County Soil & Conservation District #337 \$4,000.00
Hotel Motel
LIFE Downs \$3,400.00
and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 33 Discussion and possible action to accept one (1) right of way, out of Los Altos Subdivision, one (1) right-of-way out of Tanquecitos II Subdivision, one (1) right-of-way out of Pueblo Nuevo Subdivision, 2 rights-of-way out of Ranchitos IV Los Minerales Subdivision, 1 right-of-way out of Penitas West Subdivision 4 rights-of-way out of Los Centenarios Subdivision and one (1) right-of-way out of Los Mesquites Subdivision, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34 Discussion and possible action to accept 3 rights of way, out of Tanquecitos I Subdivision, 3 rights-of-way out of Pueblo Nuevo Subdivision, 2 rights-of-way out of Ranchos Penitas West Subdivision, 2 rights-of-way out of Ranchos Los Centenarios Subdivision, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion and possible action to enter into an construction services contract with CG Construction d/b/a CC Construction., for the Penitas Community Center (Fred and Anita Bruni Community Center) in the amount not to exceed FOUR HUNDRED FORTY ONE THOUSAND EIGHT HUNDRED THIRTY- SIX DOLLARS AND SEVEN CENTS (\$441,836.07) and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36 Discussion and possible action to enter into an engineering contract with Arcadis Engineering for the Design of a Paving and Storm Drainage Project in the Penitas West Colonia in the amount of FOUR HUNDRED AND FIFTY ONE THOUSAND ONE HUNDRED NINETY FOUR DOLLARS (\$451,194.00) which represents 9.3% of estimated construction costs as funded by the TXDOT Border Colona Access

Program and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to enter into an engineering contract with Foster Engineering for platting and the design for construction of water improvements, home to line sanitary sewer connections and road improvements for the "Felix Vela Tract" in the amount of ONE HUNDRED TWENTY FOUR THOUSAND ONE HUNDRED SEVETY-THREE DOLLARS (\$124,173.00) and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to enter into an engineering contract with Foster Engineering for the Design of a Paving and Storm Drainage Project in the Tanquesitos I & II Colonia in the amount of TWO HUNDRED SIX THOUSAND SIX HUNDRED SEVENTY-TWO DOLLARS (\$206,672.00) which represents 14.2% of estimated construction costs as funded by the TxDOT Border Colona Access Program and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action to enter into an engineering contract with Mejia Engineering for the Design of a Paving and Storm Drainage Project in the Los Altos Colonia in the amount of ONE HUNDRED AND ELEVEN THOUSAND NINE HUNDRED THIRTY THREE DOLLARS (\$111,933.00) which represents 14.2% of estimated construction costs as funded by the TxDOT Border Colona Access Program and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 40 Discussion and possible action to enter into an engineering contract with Puig Engineering for the Design of a Paving and Storm Drainage Project in the Old Milwaukee East & West Colonia in the amount of SIXTY EIGHT THOUSAND THREE HUNDRED SIXTY-FOUR DOLLARS (\$68,364.00) which represents 14.2% of estimated construction costs as funded by the TxDOT Border Colona Access Program and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 41 Discussion and possible action to enter into an engineering contract with Sherfey Engineering for the Design of a Paving and Storm Drainage Project in the San Carlos 1&2 Colonia in the amount of TWO HUNDRED AND FORTY EIGHT THOUSAND SIX HUNDRED SIXTY ONE DOLLARS (\$248,661.00) which represents 14.2% of estimated construction costs as funded by the TxDOT Border Colona Access Program and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 42 Discussion and possible action to enter into an engineering contract with TEC Engineering for the Design of a Paving and Storm Drainage Project in the D-5 Acres Colonia in the amount of THIRTY ONE THOUSAND FIVE HUNDRED FIFTY FOUR DOLLARS (\$31,554.00) which represents 10.8% of estimated construction costs as funded by the TxDOT Border Colona Access Program and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43 Discussion and possible action to enter into an engineering contract with TEC Engineering for the Design of a Paving and Storm Drainage Project in the Los Ranchitos 359 Colonia in the amount of THIRTY SEVEN THOUSAND FIVE HUNDRED FORTY TWO DOLLARS (\$37,542.00) which represents 8.1% of estimated construction costs as funded by the TxDOT Border Colona Access Program and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44 Discussion and possible action of approval to grant the County Auditor, authority to expend funds from the cooperative agreement between the Laredo District Office of the DEA and Webb County District Attorney's Office HIDTA Task Force.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45 Discussion and possible action to give authorization to the Economic Development Director to fill slot #1912 (Neighborhood Initiative Coordinator) for the remaining grant period to end September 30, 2006 at a salary of not to exceed \$25,000.00, effective January 10, 2006. (Acct. # 503-0111-5001)

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 46 Discussion and possible action to authorize a Joint Contract by and among the County Democratic Chair, the County Republican Chair, and the County Elections Administrator for the conduct and supervision of the Webb County Joint Primary Election on March 7, 2006 and the Joint Primary Runoff Election, if necessary, on April 11, 2006.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 47 Discussion and possible action to authorize and establish the Main and Temporary Branch Early Voting Polling Sites for the March 7, 2006 Joint Primary Elections within Webb County, Texas pursuant to Chapter 85, Texas Election Code.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48 Discussion and possible action to fill vacant slot # 046, Assistant Specialist, at \$ 10.69 per hour to be charged to the Elections Administration Payroll Account # 001-0107-5001.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 49 Discussion and Possible Action Authorizing Change Order No. 3 to Gilbert Texas Construction, Inc. for 50 additional days to their contract for the TXDOT Border Colonias Access Program Rio Bravo Paving Project Phase II.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 50 Discussion and Possible Action Authorizing Change Order No. 1 to Zertuche Construction, Inc. for 9 additional days to their contract for the Villa Antigua Border Heritage Museum and Parking Improvements Project.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51 Discussion and Possible Action Authorizing Amendment No. 1 to Sherfey Engineering in the amount of \$2,672.50 for additional engineering fees to their contract for the Texas Water Development Board (TWDB) – Economically Distressed Action Program (EDAP) El Cenizo Wastewater Collection, Lift Stations and Force Main Project.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 52 Discussion and Possible Action Authorizing Contract Amendment No. 5 to CH2MHILL, increasing the contract price by \$80,000.00 for additional engineering to prepare the plans and specifications for the Re-bid of the Raw Water Intake, Cleaning & Reconstruction of Water Ponds and Electrical Controls for the 2.4 million gallon per day Water Treatment Plant. The contract will increase from \$1,730,480.00 to \$1,810,480.00. This is subject to Texas Water Development Board's approval.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 53 Discussion and Possible Action Authorizing Final Payment and Retainage to Gilbert Texas Construction, Inc. in the amount of \$100,114.15 for the TXDOT Border Colonias Access Program El Cenizo Paving Project.

Judge Bruni motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 54 Discussion and Possible Action Authorizing Final Payment and Retainage to Caldwell Tanks Inc., in the amount of \$51,438.56 for the construction of an Elevated Tank in the City of El Cenizo. This is subject to Texas Water Development Board's approval.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 55 Discussion and Possible Action Authorizing Change Order No. 3 to Gilbert Texas Construction, Inc. in the amount of \$3,870.00 for the TXDOT Border Colonias Access Program El Cenizo Paving Project. The amended contract amount would be \$2,019,016.90 (\$2,015,146.90 + \$3,870.00).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 56 Discussion and Possible Action Authorizing Final Payment and Retainage to CG Construction, Inc. in the amount of \$13,649.75 for the LIFE DOWNS Administration Building and Stage Canopy.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 57 Discussion and possible action to fill slot # 1671, full-time Cook (40 hours/week for 10 months) with an annual salary of \$14,626, effective January 10, 2006 through May 28, 2006 for a total prorated salary of \$7,312.80.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 58 Discussion and possible action to fill slot # 1699, 1701, and 1696, part-time Substitute Teacher (15 hrs/week for 10 months) with an annual salary of \$4,658, effective January 10, 2006 through May 19, 2006, for a total prorated salary of \$3,249.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 59 Discussion and possible action to fill slot # 1598, AA Teacher Assistant (40 hrs/week for 10 months) with an annual salary of \$16,039, effective January 10, 2006 through May 26, 2006 for a total prorated salary of \$8,020.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 60 Discussion and possible action to authorize CG Construction in the amount of \$24,690.00 to provide materials and labor to perform the

alterations necessary at the Webb County Justice center to comply with ADA requirements. ACC# 001-0105-6032-04

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 61 Discussion and possible action to award a purchase order contract for eleven (11) computers from Lenovo in the amount of \$19,365.72 and eleven (11) licenses in the amount of \$968.00 from Valcom computers, total \$20,333.72 for the County Clerks Office, account number 009-1120-8404.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum
Item No. 1

Discussion and possible action to designate one million dollars (\$1,000,000.00) from the new issuance of bonds for the Veterans Museum to be located at 410 San Bernardo, Laredo, Texas; including but not limited to the purchase of property and any other related costs.

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Addendum
Item No. 2

Discussion and possible action to authorize the County Auditor to expend funds from the Americorps UTSTA Grant to pay all expenses effective January 1, 2006.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. S seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (4:11 PM to 4:45 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 62 Discussion and possible action to be taken regarding a Road & Bridge Department employee who is related within the third degree of consanguinity to the superintendent in apparent violation of Section 3.04 of the Texas Personnel Policies manual. Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters).

Cmr. Gutierrez motioned to have the County Attorney and Human Resource Deputy Director meet with both parties to discuss this issue. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 63 Discussion and possible action to adopt an order containing the following or substantially similar language:
"As authorized by Section 32(b) of House Bill 633 as passed in the regular session of the 79th Legislature and signed into law on June 17, 2005 the Webb County Commissioners Court orders that until the first pay period beginning on or after January 1, 2007, the County exclude from membership in the Texas County and District Retirement System as a class those persons who fill a non-temporary Position or office in the County or in a Community Supervision and Corrections Department Participating through the County that normally requires services from The person for less than 900 hours per year."
Closed session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 64 Adjournment

Cmr. Gutierrez motioned to adjourn. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.